

S/N 10/750,052

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Brian Alan Grove et al.

Examiner: Yogesh Garg

Serial No.: 10/750,052

Group Art Unit: 3625

Filed: December 30, 2003

Docket No.: 2043.036US1

Customer No.: 49845

Confirmation No.: 9104

Title: METHOD AND SYSTEM TO ADJUST A SELLER FIXED PRICE OFFER

PETITION TO REVIVE APPLICATION UNDER 37 C.F.R. 1.137(b)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Appellants respectfully request the revival of the above-identified patent application under 37 C.F.R. § 1.137(b) as being UNINTENTIONALLY abandoned for failure to properly reply to the Appeal Decision mailed September 25, 2009. Further, this Petition to Revive is being sent in response to the Appeal Decision, accompanied by a Request for Continued Examination (RCE) and a Request to Reopen Prosecution and Amendment under 37 C.F.R. 1.111 (previously filed on November 25, 2009).

The entire delay in filing the present reply from the due date for the reply until filing of the petition and enclosed Request for Continued Examination (RCE) and a Request to Reopen Prosecution and Amendment under 37 C.F.R. 1.111 was UNINTENTIONAL.

The Commissioner is authorized to charge the Petition Fee of \$1620.00 due under 37 C.F.R. § 1.17(m), and any other fees which may be due to Deposit Account 19-0743.

A notification that the Petition is accepted and that the above-referenced Patent Application is revived is respectfully requested.

CONCLUSION

Applicant respectfully requests that the petition be granted by the Commissioner. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(408) 660-2014

Date 17 February 2010

By / Nathan P. Elder /
Nathan P. Elder
Reg. No. 55,150

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17th day of February, 2010.

Chris Bartl
Name

/ C. Bartl /
Signature